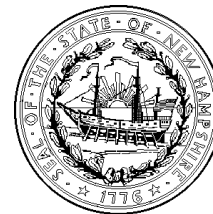


STATE OF NEW HAMPSHIRE
Department of Environmental Services
Air Resources Division



Title V Operating Permit

Permit No: **TV-OP-030**

Date Issued: **August 31, 2000, Amended on December 1, 2000**

This certifies that:

Sprague Energy Corporation
2 International Drive
Portsmouth, NH 03801

has been granted a Title V Operating Permit for the following facility and location:

Sprague Energy Corporation – Avery Lane Terminal
78 Patterson Lane
Newington, NH 03801
AFS Point Source Number – 3301500041

This Title V Operating Permit is hereby issued under the terms and conditions specified in the Title V Operating Permit Application filed with the New Hampshire Department of Environmental Services on **August 27, 1999** under the signature of the following responsible official certifying to the best of their knowledge that the statements and information therein are true, accurate and complete.

Responsible Official:

T. Flaherty
Vice President
(603) 431-1000

Technical Contact:

Ted Reed
Manager, Operations Support
(603) 430-7280

This Permit is issued by the New Hampshire Department of Environmental Services, Air Resources Division pursuant to its authority under New Hampshire RSA 125-C and in accordance with the provisions of Code of the Federal Regulations 40 Part 70.

This Title V Operating Permit shall expire on **August 31, 2005**

SEE ATTACHED SHEETS FOR ADDITIONAL PERMIT CONDITIONS

For the New Hampshire Department of Environmental Services, Air Resource Division

Director, Air Resources Division

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Facility Specific Title V Operating Permit Conditions

I. Facility Description of Operations

Sprague Energy Corporation – Avery Lane Terminal (Sprague) is a bulk gasoline terminal with ancillary methyl methacrylate (MMA) storage and truck loading facilities and ancillary asphalt storage and truck loading facilities. The gasoline is received by barge or ship then transferred to any one of four aboveground floating roof storage tanks. The gasoline is then transferred to tank trucks via a truck loading rack for hauling to retail locations using submerged loading. The gasoline vapors displaced from the loading trucks are captured and destructed by a flare (vapor incinerator). Gasoline additives, stored in small aboveground tanks near the truck loading rack are added to the gasoline in metered quantities during the tank truck filling.

Under emergency conditions, barges or ships are loaded from the gasoline tanks. Emergency conditions include situations where a tank must be quickly removed from service. Barges and ships are loaded through submerged fill.

MMA arrives at the facility via rail and then is stored in an aboveground fixed roof tank. MMA is transferred to tank trucks via a truck loading rack near the gasoline truck loading racks using submerged fill.

Sprague also receives an asphalt precursor (petroleum refinery bottoms) via ship or barge, and then stores the asphalt in seven dedicated aboveground fixed roof tanks. The asphalt is distributed via a truck loading rack separate from the gasoline truck loading area. Additives—kerosene and hydrolene—are applied to the asphalt in metered quantities upon tank truck filling. The kerosene and hydrolene are stored in aboveground storage tanks. The asphalt truck loading area is equipped with an active vent system connected to a mist eliminator to prevent asphalt mists from causing odors. The asphalt tanks are heated by a Dowtherm system to maintain the asphalt in a flowable state. The Dowtherm system uses two No. 2 fuel oil-fired boilers (one rated at 8 mmBtu/hr and one at 9.9 mmBtu/hr). The No. 2 fuel oil is stored in an aboveground storage tank.

II. Permitted Activities

In accordance with all of the applicable requirements identified in this permit, the permittee is authorized to operate the devices and or processes identified in Sections III, IV, V and VI within the terms and conditions specified in this Permit.

III. Significant Activities Identification and Stack Criteria

A. Significant Activity Identification

The activities identified in the following table (Table 1) are subject to and regulated by this Title V Operating Permit:

Table 1 – Significant Activity Identification

Emission Unit Number	Description of Emission Unit	Emissions Unit Maximum Allowable Permitted Capacity	Maximum Operating Conditions
EU01	Gasoline Storage Tank No. 1	3,722,533 gallons capacity	Maximum throughput rate of Reid Vapor Pressure (RVP) 9 and RVP 13 gasoline through Gasoline Storage Tanks Nos. 1, 2, 4 and 5 combined shall be limited to 210,000,000 gallons during any consecutive 12-month period.
EU02	Gasoline Storage Tank No. 2	3,722,533 gallons capacity	
EU03	Gasoline Storage Tank No. 4	6,107,281 gallons capacity	
EU04	Gasoline Storage Tank No. 5	6,080,843 gallons capacity	
EU05	Gasoline Truck Loading Operations	Maximum throughput rate of gasoline shall be limited to 210,000,000 gallons during any consecutive 12-month period.	Vapor incinerator shall be on-line and operating at design specifications while loading gasoline.
EU06	Gasoline Barge/Ship Loading Operations	Maximum throughput rate of gasoline for “non-emergency conditions” shall be limited to 40,000 barrels or 1,704,000 gallons during any consecutive 12-month period.	HAP emissions from all barge loading shall not exceed 10 tons per any consecutive 12-month period for any individual HAP and 25 tons per any consecutive 12-month period for any combination of HAPs.
EU07	Methyl Methacrylate Truck Loading Operations	Maximum throughput rate of methyl methacrylate shall be limited to 9,000,000 gallons during any consecutive 12-month period and 63,500 gallons during any 24-hour period.	
EU08	Dowtherm Boiler No. 1	Heat input capacity of 8 mmBtu/hr	
EU09	Dowtherm Boiler No. 2	Heat input capacity of 9.9 mmBtu/hr	
EU10	Methyl Methacrylate Storage Tank No. 11	616,000 gallon capacity	Maximum throughput rate of methyl methacrylate shall be limited to 9,000,000 gallons during any consecutive 12-month period and 63,500 gallons during any 24-hour period.

B. Stack Criteria

The following stacks for the above listed significant devices at this facility shall discharge vertically without obstruction (including removal of rain caps) and meet the following criteria in accordance with the state-only modeling requirements specified in Env-A 1300 and Env-A 1400:

Table 2 – Stack Criteria

Stack Number	Emission Unit Number	Emission Unit Description	Minimum Stack Height (Feet) Above Ground Level	Maximum Stack Diameter (Feet)	Minimum Exhaust Air Flow (acfm)
ST01	EU05	Gasoline Truck Loading Operations	30	6.33	Not Applicable

Table 2 – Stack Criteria					
Stack Number	Emission Unit Number	Emission Unit Description	Minimum Stack Height (Feet) Above Ground Level	Maximum Stack Diameter (Feet)	Minimum Exhaust Air Flow (acfm)
ST02	EU07	Methyl Methacrylate Truck Loading Operations	10	2	67

Preauthorized changes to state-only requirements pertaining to stack parameters (set forth in this permit), shall be permitted only when an air quality impact analysis which meets the criteria of Env-A 606 is performed either by the facility or the New Hampshire Department of Environmental Services, Air Resources Division (if requested by facility in writing) in accordance with the DES Policy and Procedure for Air Quality Impact Modeling. All air modeling data shall be kept on file at the facility for review by the DES upon request.

IV. Insignificant Activities Identification

All activities at this facility that meet the criteria identified in the New Hampshire Rules Governing the Control of Air Pollution Part Env-A 609.03(g), shall be considered insignificant activities. Emissions from the insignificant activities shall be included in the total facility emissions for the emission-based fee calculation described in Section XXIV. of this Permit.

V. Exempt Activities Identification

All activities identified in the New Hampshire Rules Governing the Control of Air Pollution Env-A 609.03(c) shall be considered exempt activities and shall not be subject to or regulated by this Title V Operating Permit.

VI. Pollution Control Equipment Identification

The devices and/or processes identified in Table 3 are considered pollution control equipment or techniques for each identified emissions unit:

Table 3 – Pollution Control Equipment Identification		
Pollution Control Equipment Number	Description of Equipment	Emission Unit Number/Stack Number
PC01	Gasoline Loading Vapor Incinerator	ST01

VII. Alternative Operating Scenarios

No alternative operating scenarios were identified for this Permit.

VIII. Applicable Requirements

A. State-only Enforceable Operational and Emission Limitations

The Permittee shall be subject to the state-only operational and emission limitations identified in Table 4 below.

Table 4 – State-Only Enforceable Operational and Emission Limitations			
Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
1.	Env-A 1305.01(a)	Facility wide	New or modified devices, new or modified area sources, and existing devices or area sources for which new applications for permits are filed that have the potential to emit, in any amount, substances that meet the criteria of Env-A 1301 shall be subject to Env-A 1300, until such time as the Env-A 1400 requirements supersede the Env-A 1300 requirements as outlined below.
2.	Env-A 1305.02	Facility wide	Air quality impact analysis of devices and area sources emitting substances meeting the criteria of Env-A 1301 shall be performed in accordance with the “DES Policy and Procedure for Air Quality Impact Modeling” or other comparable dispersion modeling methods approved by EPA.
3.	Env-A 1403.01	Facility wide	New or modified devices or processes installed after May 8, 1998 shall be subject to the requirements of Env-A 1400 (<i>Regulated Toxic Air Pollutants</i>).
4.	Env-A 1403.02(a)	Facility wide	All existing unmodified devices or processes, which are in operation during the transition period ending on May 8, 2001, shall comply with either Env-A 1300 (<i>Toxic Air Pollutants</i>) or Env A 1400 (<i>Regulated Toxic Air Pollutants</i>).
5.	Env-A 1403.02(b)	Facility wide	All existing devices or processes in operation after the transition period ending on May 8, 2001 shall comply with Env-A 1400 (<i>Regulated Toxic Air Pollutants</i>). Env-A 1300 will no longer be in effect.
6.	Env-A 1404.01(d)	Facility wide	Documentation for the demonstration of compliance shall be retained at the facility and shall be made available to the DES for inspection.
7.	Env-A 1405.01	Facility wide	(a) The owner of a new or modified device or process requiring a permit under this chapter shall submit an application for a temporary permit in accordance with Env-A 607.03. (b) Pursuant to RSA 125-I:5,I, the owner shall not operate the device or process until a temporary permit is issued.
8.	Env-A 1405.02	Facility wide	The owner of an existing device or process requiring a permit modification under Env-A 1400 shall submit to the DES no later than one year prior to the end of the transition period (May 8, 2000), an application for a modification to a Title V permit in accordance with Env-A 609.18, and a request to the DES to perform air dispersion modeling.
9.	Env-A 1405.03	Facility wide	The owner of an existing device or process requiring a permit under Env-A 1300 shall submit to the DES no later than one year prior to the end of the transition period (May 8, 2000), a compliance plan identifying how the device or process will comply with Env-A 1400 by the end of the transition period. The compliance plan shall contain the dates when the information required in Env-A 1405.02 will be filed with the DES.
10.	Env-A 1406.01	Facility wide	The owner of any device or process, which emits a regulated toxic air pollutant, shall determine compliance with the ambient air limits by using

Table 4 – State-Only Enforceable Operational and Emission Limitations

Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
			one of the methods provided in Env-A 1406.02, Env-A 1406.03, or Env-A 1406.04. Upon request, the owner of any device or process that emits a regulated toxic air pollutant shall provide documentation of compliance with the ambient air limits to the DES.
11.	Env-A 1405.03	EU07, EU10	Sprague Energy shall limit the maximum throughput rate of methyl methacrylate to 9,000,000 gallons during any consecutive 12-month period and 63,500 gallons during any 24-hour period.

B. Emission Rate Limitations

1. Based on the Title V operating permit application dated August 1999, Sprague Energy shall meet the emission rate limitations summarized in Table 5.

Item #	Applicable Emission Unit	VOCs (tons per 12 consecutive months)	HAPs (tons per 12 consecutive months)
1.	EU01	3.47	2.6*
2.	EU02	3.47	2.6*
3.	EU03	5.07	2.6*
4.	EU04	5.07	2.6*
5.	EU05 and PC01	28.39**	4.77**
6.	EU06	2.9***	0.44***
7.	EU07	1.83****	1.83****
8.	EU10	4.23****	4.23****
9.	Total Significant Activities	54.62	13.91

* Total HAPs for all four-gasoline storage tanks combined.

** Includes fugitive VOC emissions.

*** Does not include emissions resulting from “emergency conditions” (i.e., when tank needs to be emptied quickly for safety reasons).

****State Only applicable requirement.

C. Federally Enforceable Operational and Emission Limitations

1. The Permittee shall be subject to the federally enforceable operational and emission limitations identified in Table 6 below:

Table 6 – Federally Enforceable Operational and Emission Limitations

Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
1.	40 CFR 60.11 Compliance with	Facility wide	At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate

Table 6 – Federally Enforceable Operational and Emission Limitations

Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
	Standards and Maintenance Requirements		any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.
2.	40 CFR 60.12 Circumvention	Facility wide	No owner or operator subject to the provisions of 40 CFR Subpart A shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard that is based on the concentration of a pollutant in the gases discharged to the atmosphere.
3.	RSA 125-C:6, RSA 125-C:11, and Env-A 606.04 National Ambient Air Quality Standards	Facility wide	Sprague Energy shall comply with the National Ambient Air Quality Standards (NAAQS) and the applicable requirements of RSA 125-C:6, RSA 125-C:11, and Env-A 606.04. These sections include, but are not limited to, descriptions of the powers and duties of the commissioner, and requirements for adherence to permit application procedures and air pollution dispersion modeling impact analyses.
4.	40 CFR 60.112b (Subpart Kb); Env-A 1204.20; Temporary Permit Nos. TP-BP-0363, TP-BP-0364, TP-BP-0607, and TP-BP-0608; and State Permit to Operate No. PO-BP-2770 VOC Emission Standard/VOC RACT provisions	EU01, EU02, EU03, EU04	<p>Sprague Energy shall equip Gasoline Storage Tanks Nos. 1, 2, 4, and 5 with a fixed roof and an internal floating roof to control VOC emissions. Sprague Energy shall operate the internal floating roofs in the following manner:</p> <p>(A) The internal floating roofs for Gasoline Storage Tanks Nos. 1 and 2 shall each have two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor mounted, but both must be continuous.</p> <p>(B) The internal floating roofs for Gasoline Storage Tanks Nos. 4 and 5 shall each have a mechanical shoe seal, which is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.</p> <p>(C) Each opening in a non-contact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.</p> <p>(D) Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.</p> <p>(E) The automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.</p> <p>(F) The rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturers recommended setting.</p>

Table 6 – Federally Enforceable Operational and Emission Limitations

Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
			<p>(G) Each penetration of the internal floating roof for the purpose of sampling shall be a sampling well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.</p> <p>(H) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.</p> <p>(I) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.</p>
5.	State Permit to Operate PO-BP-2771 Auxiliary Fuel Limitation	EU05	Sprague Energy shall limit the auxiliary fuel for the vapor incinerator to propane or natural gas.
6.	40 CFR 60.502 (a) – (i); Env-A 1204.22; and State Permit to Operate PO-BP-2771 Env-A 1204.22	EU05	<p>Sprague Energy shall equip the loading racks at the bulk gasoline terminal where gasoline is delivered to tank trucks with a vapor collection system designed to collect the total organic compound vapors displaced from tank trucks during product loading. Sprague Energy shall comply with the following requirements for the bulk gasoline terminal:</p> <p>(A) The emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline tank trucks are not to exceed 20 milligrams of total organic compounds per liter (mg/l) of gasoline loaded.</p> <p>(B) Each vapor collection system shall be designed to prevent any total organic compound vapors collected at one loading rack from passing to another loading rack.</p> <p>(C) Loadings of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks using the following procedures:</p> <ol style="list-style-type: none"> 1) Sprague Energy shall obtain the vapor tightness documentation for each gasoline tank truck that is to be loaded at the affected facility. 2) Sprague Energy shall require the tank identification number to be recorded as each gasoline tank truck is loaded. 3) Sprague Energy shall cross-check each tank identification number with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded, unless either of the following conditions is maintained: <ol style="list-style-type: none"> a) If less than an average of one gasoline tank truck per month over the last 26 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed each quarter; b) If less than an average of one gasoline tank truck per month over the last 52 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed semiannually. 4) If either the quarterly or semiannually cross-check reveals that these conditions were not maintained, the source must return to biweekly monitoring until such time as these conditions are again

Table 6 – Federally Enforceable Operational and Emission Limitations

Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
			<p>met.</p> <p>(D) Sprague Energy shall notify the owner or operator of each non-vapor-tight gasoline tank truck loaded at the terminal within 1 week of the documentation cross-check.</p> <p>(E) Sprague Energy shall take steps assuring that the non-vapor-tight gasoline tank truck will not be reloaded at the affected facility until vapor tightness documentation for that truck is obtained.</p> <p>(F) Alternate procedures to those listed above in (A) through (E) for limiting gasoline tank truck loadings may be used upon application to and approval by EPA and notification of alternative procedures to DES.</p> <p>(G) Sprague Energy shall act to assure that loadings of gasoline tank trucks at the facility are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.</p> <p>(H) Sprague Energy shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of gasoline tank truck at the terminal (e.g., training drivers of hookup procedures and posting visible reminder signs).</p> <p>(I) The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water, 0.65 psi, and 18 inches of water) during product loading. This level shall not be exceeded when measured according to the procedures specified in 40 CFR 60.503(d).</p> <p>(J) No pressure-vacuum vent in the bulk gasoline terminal's vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of water) or a system vacuum less than -1468 Pa (-0.213 psi or -5.9 inches of water).</p>
7.	40 CFR 63.565 (I) Marine Tank Vessel Loadings Emission Estimates	EU06	<p>Sprague Energy shall calculate a consecutive 12 month estimate of HAP emissions from marine tank vessel loading operations. Emission estimates and emission factors shall be based on test data, or if test data is not available shall be based on measurement or estimating techniques generally accepted in industry practice for operating conditions at the source. Records of consecutive 12 month estimates of HAP emissions shall be maintained at the facility and made available to DES upon request.</p>
8.	40 CFR 63.560 Marine Tank Vessel Loadings Applicability and Requirements	EU06	<p>Sprague Energy shall limit the HAP emissions from marine tank vessel loading operations to 10 tons per any consecutive 12-month period for any individual HAP and 25 tons per any consecutive 12-month period for any combination of HAPs. If Sprague Energy exceeds these HAP emission limitations, Sprague Energy shall meet the applicable requirements of 40 CFR 63 Subpart Y.</p>
9.	40 CFR 63.420 Gasoline Distribution Facilities Applicability and Requirements	Facility wide	<p>Sprague Energy shall limit the HAP emissions at the facility to 10 tons per any consecutive 12-month period for any individual HAP and 25 tons per any consecutive 12-month period for any combination of HAPs. If Sprague Energy exceeds these HAP emission limitations, Sprague Energy shall meet the applicable requirements of 40 CFR 63 Subpart R.</p>
10.	Env-A 1204.22 (b)(3) and State	EU05	<p>Sprague Energy shall equip the bulk gasoline loading terminal with a vapor control system, consisting of a vapor collection system which directs all</p>

Table 6 – Federally Enforceable Operational and Emission Limitations

Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
	Permit to Operate No. PO-BP-2771 Vapor Control System Control Efficiency		vapors to a fuel gas system and destroys at least 90 percent by weight of all vapors and gases from the devices being controlled.
11.	Env-A 1204.22 (b)(12) Submerged Fill Gasoline Loading	EU05	Loading of outgoing gasoline tank trucks shall be restricted to the use of submerged fill.
12.	State Permit to Operate No. PO-BP-2771 Gasoline Handling	Facility wide	Sprague Energy shall not allow gasoline to be discarded in open containers or handled in any manner that would result in evaporation. Any spill buckets used to capture gasoline liquid product shall be covered and sealed at all times when not in use.
13.	40 CFR 64 Compliance Assurance Monitoring	EU05	Sprague Energy shall comply with the compliance assurance monitoring provisions upon renewal of this permit
14.	Env-A 1211.05 (b) NOx Emission Standards for Industrial Boilers	EU08, EU09	Annually, before April 1 st of each year, Sprague Energy shall perform the efficiency test listed in Table 7 and adjust the combustion process of the boiler in accordance with the procedures specified in Chapter 5, Combustion Efficiency Tables, Taplin, Harry R., Fairmont Press, 1991, and record the information specified in Table 8.
15.	Env-A 1604.01 (g) Sulfur Content of Gasoline	Facility wide	The sulfur content of gasoline shall not exceed 0.10 percent sulfur by weight.
16.	40 CFR 521 Sulfur Content of Gaseous Fuel	Facility wide	The sulfur content of gaseous fuels shall not exceed 5 grains of sulfur per 100 cubic feet of gas, calculated as hydrogen sulfide at standard temperature and pressure.
17.	Env-A 1607.01 Lab Analysis of Fuels	Facility wide	Sprague Energy shall provide DES with a report within 30 days of completion of a laboratory analysis for each different consignment of fuel.
18.	Env-A 1608.01 Use of Non-Conforming Fuel	Facility wide	Sprague Energy shall not cause or allow the use of non-conforming fuel in this state except in the event of a fuel shortage in accordance with Env-A 1609
19.	Env-A 1610 Fuel Analysis for Compliance	Facility wide	In order to determine compliance, DES shall sample or require sampling or re-sampling of any fuel. Such sampling, which shall include compositing, testing, and analyzing fuel samples, shall be conducted in accordance with the most recent ASTM methods or the methodology specified in Env-A 800 or EPA approved methods.
20.	Env-A 2003.02 Visible Emission Standards for Fuel Burning Devices	EU08, EU09 PC01	Sprague Energy shall not cause or allow average opacity from fuel burning devices in excess of 20 percent for any continuous 6-minute period in any 60-minute period.
21.	Env-A 2003.07 Particulate Matter	EU08, EU09	Sprague Energy shall not cause or allow emissions of particulate matter from fuel burning devices in excess of 0.6 lb/mmBtu.

¹ Env-A 402.03, effective on December 27, 1990, was adopted as part of the State Implementation Plan (SIP) on September 14, 1992 and is still considered to be federally enforceable until such time as the SIP is amended and approved by the EPA.

Table 6 – Federally Enforceable Operational and Emission Limitations			
Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
	Emission Standard from Fuel Burning Devices		
22.	40 CFR 82 Subpart F Stratospheric Ozone Protection	Facility wide	<p>Any person servicing, maintaining, or repairing appliances (except for motor vehicle air conditioners) which contain and use class I or class II substances as a refrigerant and which are used for household or commercial purposes, including any air conditioner, refrigerator, chiller, or freezer are subject to the requirements of 40 CFR 82 Subpart F (Recycling and Emission Reduction):</p> <p>A) Owners of equipment containing more than 50 pounds of refrigerants are required to repair substantial leaks. The annual leak rate cannot exceed 35 percent per 12-month period for industrial process and commercial refrigeration equipment. The annual leak rate cannot exceed 15 percent of charge per 12-month period for comfort cooling chillers and all other equipment containing more than 50 pounds of refrigerants, except for industrial process and commercial refrigeration equipment.</p> <p>B) Technicians servicing appliances that contain 50 or more pounds of refrigerant must provide the owner with an invoice that indicates the amount of refrigerant added to the appliance. In addition, technicians must be certified and keep a copy of their proof of certification at their place of business.</p> <p>C) Owners of air conditioning and refrigeration equipment with more than 50 pounds of refrigerant must keep records of the quantity of refrigerant added to their equipment during servicing and maintenance procedures and the date and type of service rendered to the equipment.</p>
23.	40 CFR 68 and 1990 CAA Section 112(r)(1) Accidental Release Program Requirements	Facility wide	<p>Sprague maintains no quantities of high-risk regulated substances above the threshold quantities established by the EPA under 40 CFR Part 68.130. Administrative controls will be established in order to ensure that inventories of regulated substances are maintained below the specified threshold quantities. The facility is subject to the Purpose and General Duty clause of the 1990 Clean Air Act, Section 112(r)(1). General Duty includes the following responsibilities:</p> <p>(A) Identify potential hazards which may result from such releases using appropriate hazard assessment techniques;</p> <p>(B) Design and maintain a safe facility;</p> <p>(C) Take steps necessary to prevent releases; and</p> <p>(D) Minimize the consequences of accidental releases that do occur.</p> <p>If, in the future, Sprague wishes to store quantities of high risk regulated substances above the threshold levels, an emergency response plan shall be submitted to the DES prior to commencing storage above those threshold quantities. This plan shall include the information listed in 40 CFR 68, Subpart E.</p>

D. Emission Reductions Trading Requirements

The Permittee did not request emissions reductions trading in its operating permit application. At this point, DES has not included any permit terms authorizing emissions trading in this permit. All emission reductions trading, must be authorized under the applicable requirements of either Env-A 3000 (the “Emissions Reductions Credits (or ERCs) Trading Program”) or Env-A 3100 (the “Discrete Emissions Reductions (or DERs) Trading Program”) and 42 U.S.C. §7401 et seq. (The “Act”), and must be provided for in this Permit.

E. Monitoring/Testing Requirements

1. The Permittee is subject to the monitoring/testing requirements as contained in Table 7 below:

Table 7 – Monitoring/Testing Requirements					
Item #	Device	Parameter	Method of Compliance	Frequency of Method	Regulatory Cite
1.	EU01, EU02, EU03, EU04	Holes, tears or other openings in the internal floating roof, the primary seal, and the secondary seal (if one is in service)	Visually inspect. Sprague Energy shall repair the items before filling the tank.	Prior to the filling of the storage vessel and at least once a month	40 CFR 60.113b (a) (1), Env-A 1204.20 (c) (2) and), Env-A 1204.20 (c) (6)
2.	EU01, EU02, EU03, EU04	Internal floating roof and the primary seal or secondary seal (if one is in service)	Visually inspect through manholes and roof hatches on the fixed roof. If the internal floating roof is not resting on the surface of the gasoline inside the storage vessel or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspection cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.	At least once every 12 months after initial fill	40 CFR 60.113b (a) (2)

Table 7 – Monitoring/Testing Requirements

Item #	Device	Parameter	Method of Compliance	Frequency of Method	Regulatory Cite
3.	EU01, EU02	Internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any)	Visually inspect. If the internal floating roof has defects; the primary seal has holes, tears or other openings in the seal or the seal fabric; or the secondary seal has holes, tears, or other openings in the seal or the seal fabric; or the gaskets no longer close off the liquid surfaces from the atmosphere; or the slotted membrane has more than 10 percent open area, Sprague Energy shall repair the items as necessary so that none of these conditions exist before refilling the storage vessel with gasoline.	At least every 5 years – each time the storage vessel is emptied or degassed.	40 CFR 60.113b (a)(3) (i) and 40 CFR 60.113b (a)(4)
4.	EU03, EU04	Internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any)	Visually inspect. If the internal floating roof has defects; the primary seal has holes, tears or other openings in the seal or the seal fabric; or the secondary seal has holes, tears, or other openings in the seal or the seal fabric; or the gaskets no longer close off the liquid surfaces from the atmosphere; or the slotted membrane has more than 10 percent open area, Sprague Energy shall repair the items as necessary so that none of these conditions exist before refilling the storage vessel with gasoline.	At least every 10 years – each time the storage vessel is emptied or degassed.	40 CFR 60.113b (a)(4)
5.	EU01, EU02, EU03, EU04	Notification of filling or refilling after the storage vessel is emptied and degassed	Sprague Energy shall notify the EPA and DES in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required to afford the EPA and/or DES the opportunity to have an observer present. If the inspection required when the storage vessel is emptied and degassed is not planned and Sprague Energy could not have known about the inspection 30 days in advance of refilling the tank, Sprague Energy shall notify the EPA and DES at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the EPA and DES at least 7 days prior to the refilling.	At least 30 days prior to filling or refilling after the storage vessel is emptied and degassed	40 CFR 60.113b (a) (5)
6.	EU01, EU02, EU03, EU04	Cover and seal	Complete visual inspection.	Whenever the tank is emptied for non-operational reasons or at least once every 12 months	Env-A 1204.20 (c)(7)

Table 7 – Monitoring/Testing Requirements

Item #	Device	Parameter	Method of Compliance	Frequency of Method	Regulatory Cite
7.	EU05	Leakage of vapor in the terminal's vapor collection system while a gasoline tank truck is loaded	Method 21. Sprague Energy shall repair all leaks with readings of 10,000 ppm (as methane) or greater before conducting performance tests.	Immediately before performance tests	40 CFR 60.503 (b) and State Permit to Operate No. PO-BP-2771
8.	EU05	Total organic compounds per liter of gasoline	Performance test. Sprague Energy shall conduct a performance test for 6-hours during which at least 300,000 liters of gasoline is loaded and follow the performance testing protocol described below.	Initially and once every three years thereafter (with the next test to be performed by May 1st, 2003)	40 CFR 60.503 (c) and State Permit to Operate No. PO-BP-2771
9.	EU05	Volume air-vapor mixture exhausted	Method 2B for combustion vapor processing systems. Method 2A for all other vapor processing systems.	During performance test	40 CFR 60.503 (c) (5) and State Permit to Operate No. PO-BP-2771
10.	EU05	Total organic compounds concentration	Method 25A or 25B. The calibration gas shall be either propane or butane. Sprague Energy may exclude the methane and ethane content in the exhaust vent by any method approved by EPA and/or DES.	During performance test	40 CFR 60.503 (c) (6) and State Permit to Operate No. PO-BP-2771
11.	EU05	Volume of gasoline dispensed	Terminal records or readings from gasoline dispensing meters at each loading rack	During performance test	40 CFR 60.503 (c) (7) and State Permit to Operate No. PO-BP-2771
12.	EU05	Gauge pressure in the delivery truck	A pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument), capable of measuring up to 500 mm of water gauge pressure with ± 2.5 mm (of water precision and installed on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the gasoline tank truck. The pressure shall be recorded every 5 minutes while a gasoline truck is loaded. The highest instantaneous pressure that occurs during each loading shall also be recorded. Every loading position must be tested at least once during the performance test.	During the performance test	40 CFR 60.503 (d), State Permit to Operate No. PO-BP-2771 and Env-A 1204.22(8)(a), (b)&(c)
13.	EU05	Total and component destruction removal efficiency	Performance test.	During the performance test	State Permit to Operate No. PO-BP-2771
14.	EU05	Total liquid or vapor organic compound leaks at the vapor collection system, vapor control system, and each loading rack handling gasoline	Visual, sound, and odor detection methods. Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after detection.	At least once each calendar month	40 CFR 60.502 (j) and Env-A 1204.22 (b)(10)
15.	EU08, EU09	Efficiency of the boilers	Sprague Energy shall perform an efficiency test using the test procedures specified in ASME/ANSI Boiler Test Code 4.1	Annually, before April 1 st	Env-A 1211.05 (b)

Table 7 – Monitoring/Testing Requirements

Item #	Device	Parameter	Method of Compliance	Frequency of Method	Regulatory Cite
16.	EU08, EU09	Opacity	Method 9	Upon request by DES and/or EPA	Env-A 810.03
17.	EU08, EU09	NOx emission concentration, CO emission concentration, O ₂ and CO ₂	Sprague Energy shall use any of the following monitors to measure the gaseous concentrations: (A) Any analyzer meeting the specifications set forth in the applicable sections of 40 CFR part 60 Appendix B, Performance Specifications 2 through 4; or (B) Portable extractive monitors using an electrochemical sensor for performing the gas concentration measurement; or (C) Alternative monitors, if written technical information is provided to DES demonstrating that the analyzer in the alternative monitor is at least as accurate as the analyzer using the electrochemical sensor.	Upon request by DES and/or EPA	Env-A 810.02
18.	EU05, EU08, EU09	Sulfur Content	Sprague Energy shall conduct testing to determine the sulfur content of liquid and gaseous fuels.	Upon request by DES and/or EPA	Env-A 809.01 and 809.02
19.	Facility wide	As determined by DES and/or EPA	At such time as required by DES and/or EPA, Sprague Energy shall conduct US EPA Method stack tests at representative loads.	Upon request by DES and/or EPA	State Permit to Operate No. PO-BP-2771

Performance testing (as referenced in Table 7. above) shall be planned and carried out in accordance with the following schedule:

1. At least 30 days prior to the commencement of testing, the facility shall submit to the Division a pre-test report presenting the following information:
 - a. Calibration methods and sample data sheets;
 - b. Description of the test methods to be used;
 - c. Pre-test preparation procedures;
 - d. Sample collection and analysis methods;
 - e. Process data to be collected; and
 - f. Complete test program description.
2. At least 15 days prior to the test date, the facility and any contractor that the facility retains for performance of the test, shall participate in a pre-test conference with a Division representative.
3. Emission testing shall be carried out under the observation of a Division representative. Upon commencement of emissions testing, no test shall be aborted unless approved by DES.
4. Within 30 days after completion of testing, the facility shall submit a test report to the Division.

F. Recordkeeping Requirements

The Permittee is subject to the Recordkeeping requirements as contained in Table 7 below:

Table 8 – Applicable Recordkeeping Requirements				
Item #	Recordkeeping Requirement	Frequency of Recordkeeping	Applicable Emission Unit	Regulatory Cite
1.	<p><u>Tank Inspection Records.</u> After installing the fixed roof and internal floating roof, Sprague Energy shall meet the following requirements:</p> <p>(A) Furnish EPA and DES with a report that describes the control equipment and certifies that the control equipment meets the specifications of 40 CFR 60.112b (a)(1) and 40 CFR 60.113b (a)(1). This report shall be an attachment to the notification required by 40 CFR 60.7 (a)(3).</p> <p>(B) Keep a record of each inspection performed. Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each equipment (seals, internal floating roof, and fittings).</p>	After installation of control equipment and after every inspection	EU01, EU02, EU03, EU04	40 CFR 60.115b (a) (1)
2.	<p><u>Storage Vessel Dimensions and Capacity Records.</u> Sprague Energy shall keep readily accessible records for the life of the source showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel.</p>	Initially	EU01, EU02, EU03, EU04	40 CFR 60.116b (a) and (b), Env-A 901.06 (j) old), and Env-A 904.06 (new)
3.	<p><u>VOL Storage Records.</u> For fixed-roof or external floating-roof tank VOL storage, bulk gasoline loading terminals, bulk plants and petroleum refineries, the following information shall be recorded and maintained:</p> <p>(A) Individual storage tank data including tank capacities, volume and type of VOL stored and daily throughput under normal operating conditions and for typical high ozone season day (if different from normal operating conditions). For VOL storage tanks, a record of the maximum true vapor pressure of the liquid as stored. For VOL storage tanks exempted by Env-A 1204.20(a) or Env-A 1204.21(a), but containing a VOL with a true vapor pressure greater than 7.0 Kpa (1.0 psi), Sprague Energy shall maintain records of average monthly storage temperature, Type of liquid stored, and maximum true vapor pressure for any VOL</p>	For each VOL delivery	EU01, EU02, EU03, EU04	40 CFR 60.116b (c) and (e), Env-A 901.06 (j) (old)

Table 8 – Applicable Recordkeeping Requirements

Item #	Recordkeeping Requirement	Frequency of Recordkeeping	Applicable Emission Unit	Regulatory Cite
	<p>with a true vapor pressure exceeding 7.0Kpa (1.0 psi).</p> <p>(B) Sprague Energy shall maintain records of air pollution control information, including seal type and date of retrofit, if applicable. Records of malfunctions, visual leak inspection results, startups and shut downs, including reports and results of inspections conducted in accordance with the provisions of Env-A 1204.20(c)(6) and Env-A 1204.20(c)(7) for fixed roof tanks, and Env-A 1204.20(c)(9) and Env-A 1204.20(c)(10) for external floating roof tanks.</p> <p>(C) Sprague Energy may use available data on the storage temperature to determine the true vapor pressure as determined below:</p> <ol style="list-style-type: none"> 1) For vessels operated above or below ambient temperatures, the maximum true vapor pressure is calculated based upon the highest expected calendar-month average of the storage temperature. For vessels operated at ambient temperatures, the maximum true vapor pressure is calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service. 2) For crude oil or refined petroleum products, available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar-month average temperature of the stored product may be used to determine the maximum true vapor pressure from nomographs contained in API Bulletin 2517, unless EPA or DES specifically request that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the samples. 			
4.	<p><u>Tank Truck Vapor Tightness Documentation.</u> Sprague Energy shall maintain on file at the terminal in a permanent form available for inspection the tank truck vapor tightness documentation.</p>	Continuously	EU05	40 CFR 60.505(a)
5.	<p><u>Gasoline Tank Truck Test Results.</u> Sprague Energy shall update at least once a year the documentation file for each gasoline tank truck</p>	At least annually	EU05	40 CFR 60.505 (b)

Table 8 – Applicable Recordkeeping Requirements

Item #	Recordkeeping Requirement	Frequency of Recordkeeping	Applicable Emission Unit	Regulatory Cite
	to reflect current test results as determined by Method 27. This documentation shall include the following information: (A) Test title: Gasoline Delivery Tank Pressure Test—EPA Reference Method 27; (B) Tank owner and address; (C) Tank identification number; (D) Testing location; (E) Date of test; (F) Tester name and signature; (G) Witnessing inspector, if any: Name, signature, and affiliation; and (H) Test results: Actual pressure change in 5 minutes, mm of water (average for 2 runs).			
6.	<u>Monthly Leak Inspection Records for the Bulk Gasoline Loading Terminal.</u> Sprague Energy shall maintain on file at the terminal of a record of each monthly leak inspection required according to 40 CFR 60.502 (j). Inspection records shall include, as minimum, the following information: (A) Date of inspection; (B) Findings (may indicate no leaks discovered; or location, nature, and severity of each leak); (C) Leak determination method; (D) Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days); and (E) Inspector name and signature.	Monthly	EU05	40 CFR 60.505 (c)
7.	<u>Bulk Gasoline Loading Terminal Record Retention.</u> Sprague Energy shall keep documentation of all notifications required under 40 CFR 60.502(e)(4) at the terminal.	After loading of each non-vapor tight gasoline tank truck	EU05	40 CFR 60.505 (d)
8.	<u>Vapor Processing System Replacement/ Addition Record Retention.</u> Sprague Energy shall keep records of all replacements or additions of components performed on an existing vapor processing system.	After each replacement or addition to the vapor processing system	EU05	40 CFR 60.505 (e)
9.	<u>Marine Vessel Loading Emission Estimation Record Retention.</u> Sprague Energy shall retain records of the emissions estimates determined according to 40 CFR 65.565 (l) for 5 years.	Annually	EU06	40 CFR 63.567 (j)(4)
10.	<u>Marine Vessel Loading Throughput Record Retention.</u> Sprague Energy shall retain records of actual throughputs for 5 years.	After each marine vessel loading	EU06	40 CFR 63.567 (j)(4)
11.	<u>Boiler Efficiency Test and Combustion Process Adjustment Records.</u> Sprague Energy shall maintain in a permanently bound log book the	Annually	EU08, EU09	Env-A 1211.05 (b)(2)

Table 8 – Applicable Recordkeeping Requirements

Item #	Recordkeeping Requirement	Frequency of Recordkeeping	Applicable Emission Unit	Regulatory Cite
	following information: (A) The date on which the efficiency test was conducted; (B) The date on which the combustion process was last adjusted; (C) The name(s), title, and affiliation of the person(s) who conducted the efficiency test; (D) The name(s), title, and affiliation of the person(s) who made the combustion process adjustments; (E) The NO _x emission concentration, in ppmvd and actual oxygen concentration; (F) The CO emission concentration, in ppmvd and actual oxygen concentration; (G) The opacity readings; and (H) Any other information required by Env-A 900.			
12.	<u>General Recordkeeping Requirements for Fuel Consumption.</u> Sprague Energy shall keep records on fuel utilization in accordance with the following: (A) Monthly fuel consumption; (B) Fuel type; (C) Viscosity; (D) Sulfur content as percent sulfur by weight of fuel; (E) BTU content per gallon of fuel; and (F) Hours of operation corresponding to the utilization and distribution of fuels.	Monthly	EU08, EU09	Env-A 901.03 (old) and Env-A 903.03 (new)
13.	<u>Fuel Supplier Records.</u> Sprague Energy shall retain records of each fuel analysis after receipt of the consignment.	After each consignment	EU01, EU02, EU03, EU04	Env-A 901.05 (old) and Env-A 903.05 (new)
14.	<u>VOC Recordkeeping Requirements.</u> Sprague Energy shall record and maintain the following records: (A) Facility information including the following: 1) Source name; 2) Source identification; 3) Physical address; and 4) Mailing address. (B) Identification of each VOC-emitting device or process except the following: 1) Process or devices associated exclusively with non-core activities; and 2) Processes or devices emitting only exempt VOCs. (C) Operating schedule information for each VOC-emitting device or process identified in Condition (B) above:	As specified	Facility wide	Env-A 901.06 (d) (old) and Env-A 904.02 (new)

Table 8 – Applicable Recordkeeping Requirements

Item #	Recordkeeping Requirement	Frequency of Recordkeeping	Applicable Emission Unit	Regulatory Cite
	1) Days of operation per calendar week during the normal operation schedule; 2) Hours of operation per day during the normal operating schedule and for a typical high ozone season day, if different from the normal operating schedule; and 3) Hours of operation per year under normal operating conditions. (D) VOC emissions data for each device identified in Condition (B) above: 1) Annual theoretical potential emissions for each year, in tons per year; 2) Theoretical potential emissions for a typical day during the high ozone season of each year, in pounds per day; 3) Actual VOC emissions for each year, in tons per year; 4) Actual VOC emissions for a typical day during the high ozone season of each year, in pounds per day; 5) Estimated emissions method code; and 6) Applicable emission factors, if used to calculate emissions.			
15.	<u>Throughput Information.</u> Sprague Energy shall maintain and record process information, including throughput data, for the purposes of determining actual and theoretical potential VOC emissions for each applicable device or process. Sprague Energy shall record the total amount (in gallons) of gasoline loaded through the terminal for each calendar day and for any consecutive 12-month period.	Annually and for a typical ozone season day	Facility wide	Env-A 901.06 (g) and State Permit to Operate No. PO-BP-2771
16.	<u>Bulk Gasoline Loading Terminal Records.</u> Sprague Energy shall record and maintain the following information for the bulk gasoline loading terminal: (A) Normal operating conditions; (B) Typical high ozone season day conditions, if different from normal operating conditions; (C) Air pollution control information, including seal type and date of retrofit, if applicable; (D) Records of malfunctions, visual leak inspection results, and startups and shutdowns; and (E) Records of VOC emission testing and all continuous emission monitoring data, including records that document compliance with the emission limitations of Env-	For each occurrence	EU05	Env-A 901.06 (j) (old) and Env-A 904.06 (new)

Table 8 – Applicable Recordkeeping Requirements

Item #	Recordkeeping Requirement	Frequency of Recordkeeping	Applicable Emission Unit	Regulatory Cite
	A1204.22(b)(1).			
17.	<u>Add-On VOC Control Equipment Records.</u> Sprague Energy shall record and maintain the following information for the add-on VOC control equipment: (A) Control device identification number, type, model number, and manufacturer; (B) Installation date; (C) VOC-emitting devices or processes controlled; (D) Information as to whether the control device is always in operation when the equipment it serves is in operation; (E) Destruction or removal efficiency information, including the following: 1) Destruction or removal efficiency, in percent; 2) Current primary and secondary equipment control information codes; 3) Date tested; 4) Method of determining destruction or removal efficiency, if not tested. (F) For thermal incinerators, the design exhaust gas temperature in °F; (G) Emission test results, including inlet VOC concentration as ppm, outlet concentration as ppm, method of concentration determination, and date of determination; and (H) Type and location of the capture system, capture efficiency percentage and method of determining capture efficiency.	After each performance test, and continuously for the exhaust gas temperature for thermal incinerator	EU05, PC01	Env-A 901.06 (l) and (m) (old) and Env-A 904.07 (new)
18.	<u>Record Retention:</u> Sprague Energy shall retain the records required by this permit on file for a minimum of 5 years	Retain for a minimum of 5 years	Facility wide	Env-A 902.01 (a) (new) and 40 CFR 70.6 (a)(3)(B)
19.	<u>Regulated Toxic Air Pollutant Records:</u> Sprague Energy shall maintain records in accordance with the applicable method used to demonstrate compliance pursuant to Env-A 1406.	Maintain at facility at all times	Facility wide	Env-A 902.01 (c) (new) State Enforceable Only

G. Reporting Requirements

The Permittee is subject to the federally enforceable reporting requirements identified in Table 9 below:

Table 9 – Applicable Reporting Requirements

Item #	Reporting Requirement	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
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Table 9 – Applicable Reporting Requirements

Item #	Reporting Requirement	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
1.	<u>Notification of Changes Resulting in Increased Emission Rates.</u> Sprague Energy shall furnish EPA and DES with written notification and if possible, electronic notification of any physical or operational change that may increase the emission rate of any air pollutant to which a standard applies. This notification shall be postmarked 60 days before the change is to commence or as soon as practicable. The notification shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before or after the change and the expected completion date of the change.	At each occurrence	Facility wide	40 CFR 60.7
2.	<u>Storage Vessel Repair Notification.</u> If any conditions requiring repair are detected during the annual visual inspection, Sprague Energy shall furnish a report to EPA and DES within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.	Within 30 days after an inspection where defects were found	EU01, EU02, EU03, EU04	40 CFR 60.115b (a)(3)
3.	<u>Double Seal System Repair Notification for Storage Vessels.</u> After each inspection required on double-seal systems [40 CFR 60.113b (a)(3)] that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects, Sprague Energy shall furnish a report to EPA and DES within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of 40 CFR 60.112b(a)(1) or 40 CFR 60.113b(a)(3) and list each repair made.	Within 30 days after an inspection where defects were found	EU01, EU02	40 CFR 60.115b (a)(4)
4.	<u>Performance Test Results Required by Section VIII, E Table 7, Item 8.</u> Sprague Energy shall submit the performance test results to DES within 30 days after testing completion.	30 days after performance test	EU05	State Permit to Operate No. PO-BP-2771
5.	<u>VOC Reporting Requirements.</u> Sprague Energy shall report VOC emissions as indicated in Table 8 regardless of amount of VOCs emitted and also the following information: (A) Facility information, including the following: 1) Source name; 2) Source identification; 3) Physical address; 4) Mailing address; and 5) A copy of the certificate of accuracy. (B) Identification of each device or process operating at the source identified in Condition (A) above;	Annually, by April 15 th of each year	Facility wide	Env-A 901.07 (a) (old) and Env-A 908.03(a) (new)

Table 9 – Applicable Reporting Requirements

Item #	Reporting Requirement	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
	(C) Operating schedule information for each device or process identified in Condition (B) above, including the following: <ol style="list-style-type: none"> 1) A typical business day; 2) A typical high ozone season day, if different from a typical business day; (D) Total quantities of actual VOC emissions for the entire facility for each or process identified in Condition (B) above, including the following: <ol style="list-style-type: none"> 1) Annual VOC emissions; and 2) Typical high ozone season day VOC emissions. (E) Add-on VOC control equipment information as indicated in Table 8 above.			
6.	<u>Throughput Data.</u> Sprague Energy shall report to DES the throughput information required in Table 8 above.	Annually, by April 15 th of each year	EU05	Env-A 901.07 (e) (old) and Env-A 908.03 (e) (new)
7.	<u>Process Data.</u> Sprague Energy shall report to DES the applicable process data information required by Table 8 for all miscellaneous sources.	Annually, by April 15 th of each year	Facility wide	Env-A 901.07 (g) (old) and Env-A 908.03 (f) (new)
8.	<u>Certification by a Responsible Official:</u> Any report or compliance certification submitted to the DES and/or EPA shall contain certification by a responsible official of truth, accuracy, and completeness as outlined in Section XXI.B of this permit	As specified	Facility wide	40 CFR 70.5 (d)
9.	<u>Annual Reporting and Emissions Fees:</u> Sprague Energy shall submit annual reports and payment of emission-based fees in accordance with Section XXIII of this permit.	Annually— Reporting by April 15 th and payment by October 15 th	Facility wide	Env-907.01 (new) and Env-A 704.03 and 704.04
10.	<u>Annual Compliance Certification:</u> Sprague Energy shall submit annual compliance certification in accordance with Section XXI for this permit.	April 15 th	Facility wide	40 CFR 70.6(c)(1)
11.	<u>Semi-Annual Permit Deviation/Monitoring Reports:</u> Sprague Energy shall submit a permit deviation/monitoring report of the data specified in Table 7 of this Permit every 6 months. All required reports must be certified by a responsible official consistent with 40 CFR 70.5(d). The report shall contain a summary of the monitoring information and all instances of deviations from Permit requirements.	Semiannually (by July 31 st and January 31 st of each calendar year	Facility wide	40 CFR 70.6(1)(3)(iii)(A)
12.	<u>Regulated Toxic Air Pollutant Reports:</u> Sprague Energy shall report actual emissions speciated by individual regulated toxic air pollutants, including a breakdown of VOC emission compounds.	Annually (no later than April 15 th of the following year)	Facility wide	Env-A 907.01 (new) State Enforceable Only

IX. Requirements Currently Not Applicable

The Permittee did not identify any requirements which are not applicable to the facility.

General Title V Operating Permit Conditions

X. Issuance of a Title V Operating Permit

- A. This Permit is issued in accordance with the provisions of Part Env-A 609. In accordance with 40 CFR 70.6(a)(2) this Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date five (5) years after issuance of this Permit.

Permit expiration terminates the Permittee's right to operate the Permittee's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

- B. Pursuant to Env-A 609.02(b), this Permit shall be a state permit to operate as defined in RSA 125-C:11, III.

XI. Title V Operating Permit Renewal Procedures

Pursuant to Env-A 609.06(b), an application for renewal of this Permit shall be considered timely if it is submitted to the Director at least six months prior to the designated expiration date of this Permit.

XII. Application Shield

Pursuant to Env-A 609.07, if an applicant submits a timely and complete application for the issuance or renewal of a Permit, the failure to have a Permit shall not be considered a violation of this part until the Director takes final action on the application.

XIII. Permit Shield

- A. Pursuant to Env-A 609.08(a), a permit shield shall provide that:

1. For any applicable requirement or any state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically included in this Permit, compliance with the conditions of this Permit shall be deemed compliance with said applicable requirement or said state requirement as of the date of permit issuance; and
2. For any potential applicable requirement or any potential state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically identified in this Title V Operating Permit Section IX as not applicable to the stationary source or area source, the Permittee need not comply with the specifically identified federal or state requirements.

- B. The permit shield identified in Section XIII.A. of this Permit shall apply only to those conditions incorporated into this Permit in accordance with the provisions of Env-A 609.08(b). It shall not apply to certain conditions as specified in Env-A 609.08(c) that may be incorporated into this Permit following permit issuance by DES.

- C. If a Title V Operating Permit and amendments there to issued by the DES does not expressly include or exclude an applicable requirement or a state requirement found in the NH Rules Governing the Control of Air Pollution, that applicable requirement or state requirement shall not

be covered by the permit shield and the Permittee shall comply with the provisions of said requirement to the extent that it applies to the Permittee.

- D.** If the DES determines that this Title V Operating Permit was issued based upon inaccurate or incomplete information provided by the applicant or Permittee, any permit shield provisions in said Title V Operating Permit shall be void as to the portions of said Title V Operating Permit which are affected, directly or indirectly, by the inaccurate or incomplete information.
- E.** Pursuant to Env-A 609.08(f), nothing contained in Section XIII of this Permit shall alter or affect the ability of the DES to reopen this Permit for cause in accordance with Env-A 609.18 or to exercise its summary abatement authority.
- F.** Pursuant to Env-A 609.08(g), nothing contained in this section or in any title V operating permit issued by the DES shall alter or affect the following:
 - 1.** The ability of the DES to order abatement requiring immediate compliance with applicable requirements upon finding that there is an imminent and substantial endangerment to public health, welfare, or the environment;
 - 2.** The state of New Hampshire's ability to bring an enforcement action pursuant to RSA 125-C:15,II;
 - 3.** The provisions of section 303 of the Act regarding emergency orders including the authority of the EPA Administrator under that section;
 - 4.** The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - 5.** The applicable requirements of the acid rain program, consistent with section 408(a) of the Act;
 - 6.** The ability of the DES or the EPA Administrator to obtain information about a stationary source, area source, or device from the owner or operator pursuant to section 114 of the Act; or
 - 7.** The ability of the DES or the EPA Administrator to enter, inspect, and/or monitor a stationary source, area source, or device.

XIV. Reopening for Cause

The Director shall reopen and revise a Title V Operating Permit for cause if any of the circumstances contained in Env-A 609.18(a) exist. In all proceedings to reopen and reissue a Title V Operating Permit, the Director shall follow the provisions specified in Env-A 609.18(b) through (g).

XV. Administrative Permit Amendments

- A.** Pursuant to Env-A 612.01, the Permittee may implement the changes addressed in the request for an administrative permit amendment as defined in Part Env-A 100 immediately upon submittal of

the request.

- B.** Pursuant to Env-A 612.01, the Director shall take final action on a request for an administrative permit amendment in accordance with the provisions of Env-A 612.01(b) and (c).

XVI. Operational Flexibility

- A.** Pursuant to Env-A 612.02(a), the Permittee subject to and operating under this Title V Operating Permit may make changes involving trading of emissions under this existing Title V Operating Permit at the permitted stationary source or area source without filing a Title V Operating Permit application for and obtaining an amended Title V Operating Permit, provided that all the conditions are met as specified in section XVI. A. 1. through 7. of this permit and a notice is submitted to the DES and EPA describing the intended changes. At this point, DES has not included any permit terms authorizing emissions trading in this permit.

- 1.** The change is not a modification under any provision of title I of the Act;
- 2.** The change does not cause emissions to exceed the emissions allowable under the title V operating permit, whether expressed therein as a rate of emissions or in terms of total emissions;
- 3.** The owner or operator has obtained any temporary permit required by Env-A 600;
- 4.** The owner or operator has provided written notification to the director and administrator at least 15 days prior to the proposed change and such written notification includes:
 - a)** The date on which each proposed change will occur;
 - b)** A description of each such change;
 - c)** Any change in emissions that will result and how this change in emissions will comply with the terms and conditions of the permit;
 - d)** A written request that the operational flexibility procedures be used; and
 - e)** The signature of the responsible official, consistent with Env-A 605.04(b);
- 5.** The Title V Operating Permit issued to the stationary source or area source already contains terms and conditions including all terms and conditions which determine compliance required under 40 CFR 70.6(a) and (c) and which allow for the trading of emissions increases and decreases at the permitted stationary source or area source solely for the purpose of complying with a federally-enforceable emissions cap that is established in the permit independent of otherwise applicable requirements;
- 6.** The owner or operator has included in the application for the Title V Operating Permit proposed replicable procedures and proposed permit terms which ensure that the emissions trades are quantifiable and federally enforceable for changes to the Title V Operating Permit which qualify under a federally- enforceable emissions cap that is established in the Title V Operating Permit independent of the otherwise applicable requirements; and
- 7.** The proposed change complies with Env-A 612.02 (e).

- C. Pursuant to Env-A 612.02(c), the Permittee subject to and operating under this Title V Operating Permit may make changes not addressed or prohibited by this existing Title V Operating Permit at the permitted stationary source or area source without filing a Title V Operating Permit application, provided that all the conditions specified in Env-A 612.02(c)(1) through (6) are met and a notice is submitted to the DES and EPA describing the intended changes.
- D. Pursuant to Env-A 612.02(d), the Permittee, Operator, Director and Administrator shall attach each notice of an off-permit change completed in accordance with Section XVI of this Title V Operating Permit to their copy of the current Title V Operating Permit.
- E. Pursuant to Env-A 612.02(e), any change under Section XVI shall not exceed any emissions limitations established under the NH Rules Governing the Control of Air Pollution, or result in an increase in emissions, or result in new emissions, of any toxic air pollutant or hazardous air pollutant other than those listed in the existing Permit.
- F. Pursuant to Env-A 612.02(f), the off-permit change shall not qualify for the permit shield under Env-A 609.08.

XVII. Minor Permit Amendments

- A. Pursuant to Env-A 612.04 prior to implementing a minor permit modification, the Permittee shall submit a written request to the Director in accordance with the requirements of Env-A 612.04(b).
- B. The Director shall take final action on the minor permit amendment request in accordance with the provisions of Env-A 612.04(c) through (g).
- C. Pursuant to Env-A 612.04(g), the permit shield specified in Env-A 609.08 shall not apply to minor permit amendments under Section XVII. of this Permit.
- D. Pursuant to Env-A 612.04(I), the Permittee shall be subject to the provisions of Part Env-A 614 and Part Env-A 615 if the change is made prior to the filing with the Director a request for a minor permit amendment.

XVIII. Significant Permit Amendments

- A. Pursuant to Env-A 612.05, a change at the facility shall qualify as a significant permit amendment if it meets the criteria specified in Env-A 612.05(a)(1) through (7).
- B. Prior to implementing the significant permit amendment, the Permittee shall submit a written request to the Director which includes all the information as referenced in Env-A 612.05(b) and (c) and shall be issued an amended Title V Operating Permit from the DES. The Permittee shall be subject to the provisions of Env-A 614 and Env-A 615 if a request for a significant permit amendment is not filed with the Director and/or the change is made prior to the issuance of an amended Title V Operating Permit.
- C. The Director shall take final action on the significant permit amendment in accordance with the Procedures specified in Env-A 612.05(d), (e) and (f).

XIX. Title V Operating Permit Suspension, Revocation or Nullification

- A.** Pursuant to RSA 125-C:13, the Director may suspend or revoke any final permit issued hereunder if, following a hearing, the Director determines that:
1. the Permittee has committed a violation of any applicable statute or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution, order or permit condition in force and applicable to it; or
 2. that the emissions from any device to which this Permit applies, alone or in conjunction with other sources of the same pollutants, presents an immediate danger to the public health.
- B.** The Director shall nullify any Permit, if following a hearing in accordance with RSA 541-A:30, II, a finding is made that the Permit was issued in whole or in part based upon any information proven to be intentionally false or misleading.

XX. Inspection and Entry

Pursuant to Env-A 614.01, EPA and DES personnel shall be granted access to the facility covered by this Permit, in accordance with RSA 125-C:6, VII for the purposes of: inspecting the proposed or permitted site; investigating a complaint; and assuring compliance with any applicable requirement or state requirement found in the NH Rules Governing the Control of Air Pollution and/or conditions of any Permit issued pursuant to Chapter Env-A 600.

XXI. Certifications

A. Compliance Certification Report

In accordance with 40 CFR 70.6(c) the Responsible Official shall certify, for the previous calendar year, that the facility is in compliance with the requirements of this permit. The report shall be submitted annually, no later than April 15th of the following year. The report shall be submitted to the DES and to the U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

In accordance with 40 CFR 70.6(c)(5), the report shall describe:

1. The terms and conditions of the Permit that are the basis of the certification;
2. The current compliance status of the source with respect to the terms and conditions of this Permit, and whether the method was continuous or intermittent during the reporting period;
3. The methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
4. Any additional information required by the DES to determine the compliance status of the source.

B. Certification of Accuracy Statement

All documents submitted to the DES shall contain a certification of accuracy statement by the responsible official of truth, accuracy, and completeness. Such certification shall be in accordance with the requirements of 40 CFR 70.5(d) and contain the following language:

"I am authorized to make this submission on behalf of the facility for which the submission is made. Based on information and belief formed after reasonable inquiry, I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

All reports submitted to DES (except those submitted as emission based fees as outlined in Section XXIV of this Permit) shall be submitted to the following address:

New Hampshire Department of Environmental Services
Air Resources Division
6 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095
ATTN: Section Supervisor, Compliance Bureau

All reports submitted to EPA shall be submitted to the following address:

Office of Environmental Stewardship
Director Air Compliance Program
United States Environmental Protection Agency
1 Congress Street
Suite 1100 (SEA)
Boston, MA 02114-2023
ATTN: Air Compliance Clerk

XXII. Enforcement

Any noncompliance with a permit condition constitutes a violation of RSA 125-C:15, and, as to the conditions in this permit which are federally enforceable, a violation of the Clean Air Act, 42 U.S.C. Section 7401 et seq., and is grounds for enforcement action, for permit termination or revocation, or for denial of an operating permit renewal application by the DES and/or EPA. Noncompliance may also be grounds for assessment of administrative, civil or criminal penalties in accordance with RSA 125-C:15 and/or the Clean Air Act. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of RSA 125-C, the New Hampshire Rules Governing the Control of Air Pollution, or the Clean Air Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

In accordance with 40 CFR 70.6 (a)(6)(ii) a Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

XXIII. Emission-Based Fee Requirements

- A.** The Permittee shall pay an emission-based fee annually for this facility as calculated each calendar year pursuant to Env-A 704.03.
- B.** The Permittee shall determine the total actual annual emissions from the facility to be included in the emission-based multiplier specified in Env-A 704.03(a) for each calendar year in accordance with the methods specified in Env-A 620.
- C.** The Permittee shall calculate the annual emission-based fee for each calendar year in accordance

$$FEE = E * DPT * CPI_m * ISF$$

with the procedures specified in Env-A 704.03 and the following equation:

Where:

FEE = The annual emission-based fee for each calendar year as specified in Env-A 704.
 E = The emission-based multiplier is based on the calculation of total annual emissions as specified in Env-A 704.02 and the provisions specified in Env-A 704.03(a).
 DPT = The dollar per ton fee the DES has specified in Env-A 704.03(b).
 CPI_m = The Consumer Price Index Multiplier as calculated in Env-A 704.03(c).
 ISF = The Inventory Stabilization Factor as specified in Env-A 704.03(d).

- D.** The Permittee shall contact the DES each calendar year for the value of the Inventory Stabilization Factor.
- E.** The Permittee shall contact the DES each calendar year for the value of the Consumer Price Index Multiplier.
- F.** The Permittee shall submit, to the DES, payment of the emission-based fee and a summary of the calculations referenced in Sections XXIII.B. and C of this Permit for each calendar year by October 15th of the following calendar year in accordance with Env-A 704.04. The emission-based fee and summary of the calculations shall be submitted to the following address:

New Hampshire Department of Environmental Services
 Air Resources Division
 6 Hazen Drive
 P.O. Box 95
 Concord, NH 03302-0095
 ATTN.: Emissions Inventory

- G.** The DES shall notify the Permittee of any under payments or over payments of the annual emission-based fee in accordance with Env-A 704.05.

XXIV. Duty To Provide Information

In accordance with 40 CFR 70.6 (a)(6)(v), upon the DES's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall furnish to the DES copies of records that the Permittee is required to retain by this Permit. The Permittee may make a claim of confidentiality as to any information submitted pursuant to this condition in accordance with Part Env-A 103 at the time such information is submitted to DES. DES shall evaluate such requests in accordance with the provisions of Part Env-A 103.

XXV. Property Rights

Pursuant to 40 CFR 70.6 (a)(6)(iv), this Permit does not convey any property rights of any sort, or any exclusive privilege.

XXVI. Severability Clause

Pursuant to 40 CFR 70.6 (a)(5), the provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

XXVII. Emergency Conditions

Pursuant to 40 CFR 70.6 (g), the Permittee shall be shielded from enforcement action brought for noncompliance with technology based² emission limitations specified in this Permit as a result of an emergency³. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- B. The permitted facility was at the time being properly operated;
- C. During the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other

² Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

³ An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

requirements in this Permit; and

- D.** The Permittee submitted notice of the emergency to the DES within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

XXVIII. Permit Deviation

In accordance with 40 CFR 70.6(a)(3)(iii)(B), the Permittee shall report to the DES all instances of deviations from Permit requirements, by telephone or fax, within 24 hours of discovery of such deviation. This report shall include the deviation itself, including those attributable to upset conditions as defined in the Permit, the probable cause of such deviations, and any corrective actions or preventative measures taken. Said Permit deviation shall also be submitted in writing to the DES within fifteen (15) days of documentation of the deviation by facility personnel. Deviations are instances where any Permit condition is violated and has not already been reported as an emergency pursuant to Section XXVII of this Permit.

Reporting a Permit deviation is not an affirmative defense for action brought for noncompliance.